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CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

7 Attorneys for Petitioner  
 DENISE R. REED

9  
 10 UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

11 DENISE R. REED,

12 Petitioner,

13 vs.

14 WHITE PACIFIC SECURITIES, INC.  
 15 and ROY L. PANELLI,

16 Respondents.

C CASE NO.

3648

PETITIONER DENISE R. REED'S  
 PETITION TO CONFIRM  
 ARBITRATION AWARD AGAINST  
 RESPONDENTS WHITE PACIFIC  
 SECURITIES, INC. AND ROY L.  
 PANELLI

19 Petitioner DENISE R. REED ("Reed"), by and through her attorneys, Shustak & Partners,  
 20 P.C., submits her Petition to Confirm Arbitration Award rendered in her favor and against  
 21 Respondents WHITE PACIFIC SECURITIES, INC. and ROY L. PANELLI, (collectively,  
 22 "Respondents") and respectfully alleges:

JURISDICTION AND VENUE

23 1. Reed brings this civil action in accordance with 9 U.S.C. § 9, *et seq.*, to confirm the  
 24 arbitration award in her favor and against Respondents in an arbitration before the National  
 25 Association of Securities Dealers ("NASD"), bearing NASD Case No. 04-03449 (the "Arbitration  
 26 Award"). A true and correct copy of the Arbitration Award, which the NASD served on all parties  
 27

1 on June 5, 2007, is marked and attached to the Declaration of Jonah A. Toleno ("Toleno Decl."),  
2 submitted in support of this Petition, as Exhibit "A".

3           2. Jurisdiction and Venue are proper in this Court pursuant to 9 U.S.C. § 9, *et seq.*, as the  
4 Arbitration Award was rendered within this District.

## PARTIES

3. Petitioner Reed resides at Reno, Nevada.

4. Respondent WHITE PACIFIC SECURITIES ("White Pacific") is a Nevada corporation with a principal place of business at 231 Sansome St., Suite 4f, San Francisco, CA 94104.

9       5. Respondent ROY L. PANELLI ("Panelli") is an employee of White Pacific who, upon  
10 information and belief, resides in California.

## **MATERIAL ALLEGATIONS**

6. Reed hereby refers to the concurrently filed Declaration of Jonah A. Toleno ("Toleno Decl."), and incorporates that Declaration by reference as though fully set forth in this Petition.

7. Reed initiated the arbitration against Respondents based on Respondents' inaccurate reporting of certain events on Reed's Forms U-4 and U-5 filed with the Central Registration Depository ("CRD"). Reed sought expungement of these inaccurate Forms U-4 and U-5, and also alleged causes of action against Respondents for defamation, breach of contract, breach of the implied covenant of good faith and fair dealing, and negligence.

8. The matter proceeded to hearing on April 16 - 18, 2007. After the arbitration panel completed a study of all of the facts, circumstances, elements, and proofs regarding the controversies submitted to them, the panel came to a decision and made its Arbitration Award.

9. The panel served its Arbitration Award on the parties on June 5, 2007. The Arbitration Award granted Reed's request for expungement of her Forms U-4 and U-5. The panel further deemed Reed the prevailing party and thus awarded in favor of Reed and against

1 White Pacific her reasonable attorney's fees in the amount of \$158,797.10 and her costs and  
2 expenses of suit in the amount of \$5,603.70. (Toleno Dec., ¶4, Ex. A, ¶4).

3  
4 10. As of the current date, White Pacific has only submitted payment of \$5,603.70 to  
5 cover Reed's costs and expenses. As a result, Reed is still owed the entirety of her attorney's  
6 fees in the amount of \$158,797.10. (Toleno Dec., ¶5)

7  
8 WHEREFORE, Reed requests that the Arbitration Award be confirmed and that  
9 judgment be entered in favor of Reed and against White Pacific in the amount of \$158,797.10,  
10 plus post-judgment interest from June 5, 2007, until such time as this amount is fully paid at the  
11 legal rate of 10% per annum.

12  
13  
14 Dated: July 16, 2007 SHUSTAK & PARTNERS, P.C.

16  
17 By:



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24 DENISE R. REED